

Agricultural Marketing Service, USDA

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instrument as if all signatures were contained in one original.

§ 955.91 Additional parties.

After the effective date thereof, any handler may become a party to this agreement if a counterpart is executed by such handler and delivered to the Secretary. This agreement shall take effect as to such new contracting part at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

§ 955.92 Order with marketing agreement.

Each signatory hereby requests the Secretary to issue, pursuant to the Act, an order providing for regulating the handling of Vidalia onions in the same manner as is provided for in this agreement.

Subpart—Rules and Regulations

§ 955.101 Vidalia Onion Handler Report.

(a) Each handler shall furnish shipping reports with the Vidalia Onion Committee on a monthly basis. Such reports shall be made on forms provided by the Committee and shall include: (1) The name and address of the handler; (2) monthly period covered by the report; (3) total quantity of Vidalia onions received; (4) total fresh market shipments of Vidalia onions; (5) shipment volume coming from acreage owned by the handler; (6) total assessments owed; (7) volume of onions packed under contract for another handler and those handler names; (8) onions sold to another handler; and (9) information on onions placed in Controlled Atmosphere storage.

(b) Handlers shall file reports each fiscal period beginning the first month they make shipments and shall continue filing reports until they submit a final report for the season. Each such report shall be filed with the Committee not later than 5 p.m. on the fifth day of each month following the month in which any shipments were made. Should the fifth day of the month fall on a weekend or holiday, re-

ports are due by the first business day prior to the fifth day of the month.

[67 FR 41816, June 20, 2002, as amended at 71 FR 34509, June 15, 2006]

§ 955.113 Fiscal period.

Pursuant to § 955.13, *fiscal period* shall mean the period beginning January 1 and ending December 31 of each year, except that the fiscal period that began on September 16, 1998, shall end on December 31, 1999.

[64 FR 48245, Sept. 3, 1999]

§ 955.121 Change in term of office.

Pursuant to § 955.21, the term of office for the Committee shall be for two years beginning January 1 and ending December 31, except that, the term of office for members and alternates whose terms expired on September 15, 1999, shall end on December 31, 1999, or until qualified successors are selected.

[64 FR 72269, Dec. 27, 1999]

§ 955.122 Change in nomination deadlines.

Pursuant to § 955.22, the Committee shall hold or cause to be held not later than October 1 of each year a meeting or meetings of growers for the purpose of designating one nominee for each position as member and for each position as alternate of the Committee which is vacant, or about to become vacant. Such nominations shall be supplied to the Secretary in such manner and form as the Secretary may prescribe, not later than October 15 of each year. The grower members shall nominate the public member and alternate public member at the first meeting following the selection of members for a new term of office. Nominations for the public member and alternate public member shall be supplied to the Secretary in such manner and form as the Secretary may prescribe, not later than February 15.

[64 FR 72269, Dec. 27, 1999]

§ 955.142 Delinquent assessments.

Each handler shall submit assessments to the Vidalia Onion Committee on a monthly basis for each month during the fiscal period in which they made shipments. Each such assessment

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shall be paid to the Committee not later than 5 p.m. on the fifth day of each month following the month in which any shipments were made. Should the fifth day of the month fall on a weekend or holiday, assessments are due by the first business day prior to the fifth day of the month.

Each handler shall pay interest of one percent per month on any unpaid assessments levied pursuant to § 955.42 and on any accrued unpaid interest beginning the day immediately after the date the monthly assessments were due, until the delinquent handler's assessments, plus applicable interest, has been paid in full.

[71 FR 34509, June 15, 2006]

ASSESSMENT RATES

§ 955.209 Assessment rate.

On and after January 1, 2005, an assessment rate of \$0.10 per 40-pound carton or equivalent is established for Vidalia onions.

[70 FR 11117, Mar. 8, 2005]

PART 956—SWEET ONIONS GROWN IN THE WALLA WALLA VALLEY OF SOUTHEAST WASHINGTON AND NORTHEAST OREGON

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AUTHORITY: 7 U.S.C. 601–674.

SOURCE: 60 FR 27626, May 24, 1995, unless otherwise noted.

DEFINITIONS

§ 956.1 Secretary.

Secretary means the Secretary of Agriculture of the United States or any officer or employee of the Department